

**Zoning Board of Adjustment and Appeals
Minutes of the March 5, 2020 Regular Meeting**

The meeting convened in the Madison Municipal Complex, City Council Chambers, 100 Hughes Road, Madison, Alabama 35758, and was called to order at 5:30 p.m. by Board Chair Betty Fletcher.

In Attendance:

Betty Fletcher, Chair	Present
Mary Hudson	Present
John Horch	Present
	Supernumeraries
Michael Keenan	Present

City Staff Present

Mary Beth Broeren, Director of Development Services; Megan Zingarelli, City Attorney; and Johnny Blizzard, Senior Planner and Board Secretary

Registered Public Attendees

Barbra Mewborne, Robert B. Davis, Jr., Kenchea Williams and Kristin Bellerose

Election of 2020 Officers

Chair: Mary Hudson nominated Betty Fletcher as 2020 Chair and Mike Keenan seconded the nomination. There being no other nominations or objections, Betty Fletcher was elected by acclamation.

Vice-Chair: Mary Hudson nominated John Horch as 2020 Vice-Chair and Mike Keenan seconded the nomination. There being no other nominations or objections, John Horch was elected by acclamation.

Approval of Minutes

Mrs. Fletcher asked Board members for requested changes and/or corrections, if any, to the December 5, 2019 minutes. There being none, Mrs. Fletcher called for a motion.

Motion: John Horch moved to approve the minutes of the December 5, 2019 regular meeting, as written. Mary Hudson seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Michael Keenan	Aye

Motion Carried

Petitions and Formal Requests for Action

Mrs. Fletcher read aloud, this Board is composed of five persons, with two supernumeraries, and is empowered by the Alabama State Legislature, but appointed by the City Council and is charged with hearing petitions for relief from a literal and strict application of the Zoning Code. Cases are heard in the order in which they are filed. Motions are made in the positive and each case requires a positive vote of at least four members, a simple majority will not approve an action. The burden of proof for Variances and Special Exceptions rests with the petitioner. Any party aggrieved by any decision of this Board may, within fifteen days, file a written notice of appeal to the Circuit Court.

Case SE-2020-001, 500 Lanier Road, Building 1-Suite B, Barbara Mewborne, A request to the City of Madison Zoning Ordinance Section 4-9-2 for indoor Commercial Recreation to operate a dance school. This request is in accordance with Section 10-5 of the City of Madison Zoning Ordinance.

Mrs. Mewborne presented the request and explained the desired location at 500 Lanier Road would accommodate a dance school better than a retail space. The attributes of the proposed location are high ceilings and more space for the students to move around. The applicant did mention that staff was concerned about parking in the complex and indicated classes would be held from 4:00 p.m. to 8:00 p.m. during weekdays and 2:00 p.m. to 6:00 p.m. on Sundays. She explained that other businesses were closed during these times. There was discussion between the Board and the applicant concerning the number of parking spaces that would be utilized, 12 or 24. The lease agreement between the property owner and the applicant specifics 12 parking spaces. Mrs. Fletcher questioned an email that referenced 24 parking spaces. The applicant stated that the school could have two separate classes with 12 students in each class. As a result of the concerns over parking, Ms. Mewborne consulted with the property owner and realtor about the possibility of changing the lease from 12 parking spaces to 24 parking spaces. Mike Keenan asked about classes on Sunday and the applicant stated that would be the only day with two full classes. She informed the Board that in most situations parents drop their children off and pick them up after their class.

Kenchea Williams and Kristin Bellerose came and supported the special exception. Each have children that are students and praised Mrs. Mewborne's professionalism as an instructor. Mr. Bobby Davis, who is the property owner, informed the Board that he had charged a local engineering company to study the parking situation, and the study revealed the use would not create a parking problem.

Motion: Mary Hudson moved to approve Case SE-2020-001, 500 Lanier Road, Building 1, a request for a Special Exception under Section 4-9-2 for Indoor Commercial Recreation to operate a dance school in the M1 (Restricted Industrial) District, with the condition the special exception will expire in five years, after which the applicant may reapply. This request is in accordance with Section 10-5 of the City of Madison Zoning Ordinance. John Horch seconded the motion and the vote was as follows:

Betty Fletcher	Aye
Mary Hudson	Aye
John Horch	Aye
Michael Keenan	Aye

Motion Carried

Old Business

Mrs. Fletcher asked Board members and Staff if there were items of old business to discuss. There being none, Mrs. Fletcher closed the floor to old business.

Other Business

Mrs. Fletcher asked Board members and Staff if there was other business to discuss. There being none, Mrs. Fletcher closed the floor.

Adjournment

With no further business before the Board, Mrs. Fletcher adjourned the meeting at 5:50 P.M.

Approved:

Betty Fletcher Chair

Attest:

Johnny Blizzard, Recording Secretary